



11443/72 3739

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Michael P. WHITMAN  
Serial No. : 10/099,634  
Filed : March 15, 2002  
For : ELECTRO-MECHANICAL SURGICAL DEVICE  
Examiner : Philip Robert Smith  
Art Unit : 3739  
Confirmation No. : 4140

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: August 29, 2007

Signature: \_\_\_\_\_

Clifford A. Ulrich (Reg. No. 42,194)

**AMENDMENT TRANSMITTAL**

S I R:

In response to the Office Action of June 1, 2007, transmitted herewith is an Amendment for filing in the above-identified application.

The Office Action of June 1, 2007 set a three-month period of time for responding. The period of time for responding expires on September 1, 2007. Accordingly, this response is timely.

Applicants believe that no fees are due. However, if any fees are due, the Commissioner is authorized, as appropriate and/or necessary, to charge any such fees or credit any overpayment to Kenyon & Kenyon LLP Deposit Account No. 11-0600. A duplicate copy of this transmittal letter is enclosed for that purpose.

Respectfully submitted,

Dated: August 29 2007

By: \_\_\_\_\_

Clifford A. Ulrich  
Registration No. 42,194

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One Broadway  
New York, New York 10004  
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Customer No. 26646



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Clifford A. Ulrich, (Reg. No. 42,194)

**AMENDMENT**

SIR:

In response to the Office Action dated June 1, 2007, kindly amend the above-captioned application without prejudice as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 8 of this paper.